

STATE OF MARYLAND

Plaintiff

vs.

David Anthony Wiggins©
Private Native American National
Under Duress, Without Consent
By Special Appearance

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* Citation # 07K0HP3 Transportation
Citation # 07L0HP3 Transportation
* Citation # 07F0HP3 Transportation

* Citation # 07G0HP3 Transportation
Citation # 07H0HP3 Transportation
* Citation # 07J0HP3 Transportation

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David Anthony Wiggins© NOTICE OF REMOVAL

NOW COMES, NOW COMES, David Anthony Wiggins©, a Living Soul, and Private Native American National, Under Duress, Without Consent, by Special Appearance and pursuant to the Constitution for the de jure united States of America, the Maryland Declaration of Rights and English Common Law, thereunder, and United States Supreme Court Precedence Simons vs. United States, 390 US 389, et seq., and hereby states:

PLEASE TAKE LAWFUL NOTICE, that in accord with 28 U.S.C. § 1331, 1335, 1337, 1339, 1343, 1348, 1349, 1441, 1443(1) (2), and 1446, et seq., that David Anthony Wiggins©, under duress, hereby removes from This Court, the state-court action described in paragraph 1 below.

1. The case of State of Maryland vs. David Anthony Wiggins©, in the District Court of Maryland for Baltimore County, Transportation Article Citations Citation # 07K0HP3 Transportation; Citation # 07L0HP3 Transportation; Citation # 07F0HP3 Transportation; Citation # 07G0HP3 Transportation; Citation # 07H0HP3 Transportation; Citation # 07J0HP3 Transportation

2. Pursuant to 28 U.S.C. § 1331 removal is sought for a declaratory judgment on a federalism concerns regarding the distinction between Congress' Article 1 section 9 power to regulate commerce, and transportation over the public highway, and roads,

and an American Nationals unregulated right to travel in automobiles clearly marked "Private" "Not In Commerce", as decided in Simons vs. United States, 390 US 389.

3. Federal Jurisdiction is proper in that Congress' power to regulate Commercial Transportation over the public highway and roads is mandated in Article 1 section 9 of the Constitution; the Plaintiff issued Transportation Article Citations to an automobile clearly and distinctly identified as "Private" in each citation individually and separately, issued by the Plaintiff, that clearly, affirmatively, and distinctly delineates the substantive constitutional essence of the non-commercial right to travel as counter distinguished from the congressionally regulated privilege to engage in transportation, over the public highways and roads.

4. That the substance of these averments affirmatively, and distinctly, in both essence and effect allege not just the power of the Congress to regulate commercial transportation, but also the restriction on the Plaintiff to regulate private non-commercial travel. SEE: Burgess v. Charlottesville Sav. And Loan Assoc. 477 F2. 40, 43 and Cuyahoga Co. v. Northern Ohio Co. 252 US 388, 397

5. That, the parties, and this state Court, are hereby given formal notice that the combination of filings made under both this cause now herewith, as well as within the aforementioned federal court, automatically divests this Court of any and all further authority and jurisdiction over these proceedings – bar none (see 28 USC § 1446 (d)) – and, therefore, there will be NO more hearings, orders, or any other proceedings held, made, or done within this state cause until, and unless, further notice or order is first made by the judge of said United States District Court.

ACCORDINGLY, this petitioner gives lawful notice that the above captioned state-court matter is removed from the District Court of Maryland for Baltimore County Judiciary and to this Honorable Court.

Respectfully submitted


/s/ David Anthony Wiggins©

A Living Soul, By Special Appearance

3307 Saint Ambrose Avenue,

Tubman City, Garveyland Republic, 21215.

AFFIDAVIT

I HEREBY AFFIRM, under the penalty of perjury that the facts contained in this Motion for Dismissal of Citations for lack of Subject Matter Jurisdiction and Brief in Support of Motion for Dismissal for lack of Subject Matter Jurisdiction, are true to the best of my personal knowledge, information and belief.


/s/ David Anthony Wiggins©

A Living Soul, By Special Appearance

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 2 day, of the September, month, 2016, that a copy of the foregoing Motion for Dismissal of Citations for lack of Subject Matter Jurisdiction and Brief in Support of Motion for Dismissal for lack of Subject Matter Jurisdiction, was mailed via U.S. Postal Service, First Class Mail, Postage Prepaid to Office of the States Attorney for Baltimore County, 120 Chesapeake Avenue, Towson, Maryland 21286.


/s/ David Anthony Wiggins©

STATUTES AND AUTHORITIES

Constitution for the United States of America

Title 28 United States Code: 28 U.S.C. § 1331, 1335, 1337, 1339, 1343, 1348, 1349, 1441, 1443(1) (2), and 1446, et seq

Simons vs. United States, 390 US 389

Maryland Declaration of Rights

Maryland Constitution